IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(SPECIAL ORIGINAL JURISDICTION)

MONDAY THE THIRTEENTH DAY OF DECEMBER TWO THOUSAND AND FOUR

: PRESENT :

THE HON'BLE MR.JUSTICE: **L.NARASIMHA REDDY**

W.P. No.23060 of 2004

Between:

M/s. Sri Venkateswara Mining Co. Nellore, rep. by its Managing Partner Sri D.Balaiah.

Petitioner

AND

1. The Asst. Director, Mines & Geology, Nellore.
2. The Principal Secretary to Govt of A.P., Industries and Commerce (M1) Dept, Secretariat, Hyderabad.
3. The District Collector, Nellore.
4. The Director of Mines & Geology, Hyderabad.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a Writ order or direction more in the nature of Writ of Mandamus directing the respondent No.1 to take necessary steps for execution of lease deed granted in favour of the petitioner through G.O.Ms.No.47 Industries & Commerce dept (M1) dt. 26-2-2004 and in accordance with Govt. Memo No. 14063/M1(2/04-1) dt. 11-11-04 declaring the action of the respondents as illegal arbitrary in not completing execution of lease deed in favour of the petitioner.

The petition coming on for hearing, upon perusing the petition and the affidavit filed herein and upon hearing the arguments of M/s. G.Sabhitha, Advocate for the Petitioner and of G.P. for Mines & Geology on behalf of the Respondents.

The Court made the following **ORDER:**

" Post on 20-12-2004 in Motion List.

Prima facie, it is evident that the Government had issued orders extending the time for execution of the lease deed upto 31-12-2004 and so far the first respondent has not taken any steps to execute the lease deed. Having regard to fact that the Government made it clear that no further extension shall be granted, the first respondent is directed to execute the lease deed in pursuance of the G.O.Ms.No.47 dated. 26-02-2003 within one week. In case, the petitioner is required to comply with any formalities, he shall intimate the same within three days from today and on compliance with the same, take necessary steps to execute the lease deed."

ASSISTANT REGISTRAR

// TRUE COPY //
for ASSISTANT REGISTRAR

To

1. The Asst. Director, Mines & Geology, Nellore District.

2. The Principal Secretary to Govt of A.P., Industries and Commerce (M1) Dept, Secretariat, Hyderabad.
3. The District Collector, Nellore District.
4. The Director of Mines & Geology, Hyderabad.
5. Two CCs to G.P. for Mines & Geology, High Court of A.P.Hyd(OUT)
6. One spare copy.

SAH